IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

COMPANY PETITION No. 180 of 2002

For Approval and Signature:

HONOURABLE MR.JUSTICE R.S.GARG

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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M/S.HARSHA TEXCHEM PVT.LTD. - Petitioner(s)
Versus
M/S.DHARAM BHAKTI CHEMICALS PVT. LTD. - Respondent(s)

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Appearance :
MR BP GUPTA for Petitioner(s) : 1,
MR MA BUKHARI for Respondent(s) : 1,

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CORAM : HONOURABLE MR.JUSTICE R.S.GARG

Date : 12/04/2006

ORAL JUDGMENT

Mr. M.A. Bukhari, learned counsel for the respondent company submits that out of the total dues of Rs.2.00 lacs, a sum of Rs. 1,70,000/- has already been paid to the petitioning creditor and the balance amount of Rs.30,000/- would be paid by the respondent company to

the petitioning creditor on or before 31st August, 2006. He also submits that in case, any default is committed by the respondent company, then, the petitioner would be entitled to take appropriate action. In view of the submission, the petitioner stands satisfied. It is, however, made clear that in case, balance amount of Rs. 30,000/- is not paid by the respondent to the petitioning creditor on or before 31st August, 2006, then, the same would be taken to be a misconduct on the part of the respondent company and the petitioner would be entitled to make an application for revival of this Company Petition. The petition with the directions and liberty as aforesaid, is disposed of.

(***R. S. Garg, J.***)

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